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4 Attorneys for Defendant
5 TIMOTHY SHELLEY

6 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
(HONORABLE CYNTHIA IMBROGNO)

7 UNITED STATES OF AMERICA,)
8)
Plaintiff,) CR-09-089-RHW
9)
vs.) MEMORANDUM IN SUPPORT OF
10) MOTION TO RECONSIDER ISSUE
TIMOTHY SHELLEY,) OF PRETRIAL DETENTION
11)
12 Defendant.)
13 _____)

14 TO: JAMES McDEVITT, UNITED STATES ATTORNEY
STEPHANIE LISTER, ASSISTANT UNITED STATES ATTORNEY
15

16 TIMOTHY SHELLEY, through counsel, Roger J. Peven and Amy H.
17 Rubin for the Federal Defenders of Eastern Washington and Idaho,
18 respectfully moves the Court to reconsider the issue of pretrial
19 detention ordered by this Court on August 25, 2009.

20 **I. BACKGROUND**

21 On June 23, 2009, Mr. Shelly was charged in four count
22 Indictment. The Indictment alleges conduct that occurred on or
23 about January 2005 and continuing through on or about September
24 4, 2005.

25 Mr. Shelly appeared before this Court on August 25, 2009.
26

27 MEMORANDUM IN SUPPORT OF
MOTION FOR RECONSIDERATION

1 At the August 25, 2009 Detention Hearing, the Court granted the
2 United States's Motion for Detention and asked Pretrial Services
3 to prepare a Supplemental Report as to the residence plans that
4 were proffered by defense counsel.

5 A Supplemental Report was prepared by Officer Kennicutt and
6 Mr. Shelly respectfully moves the Court to allow him to return to
7 Court to address the issues that were raised in the Supplemental
8 Report.

9 Ms. Lister objects to Mr. Shelly's release, however, will
10 argue her position before this Court on Friday, September 18,
11 2009 at 3:00 p.m.

12
13 Dated: September 14, 2009

14
15 Respectfully Submitted,

16
17 s/ Amy H. Rubin
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on September 14, 2009, I electronically
3 filed the foregoing with the Clerk of the Court using the CM/ECF
4 System which will send notification of such filing to the
5 following: STEPHANIE LISTER, Assistant United States Attorney.

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